

Application No. 09/418,902

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Docket No. HO-P01896US0

Brief Remarks/Arguments

With respect to claim 1, Turner does not teach three distinctly elasticated and distinctly positioned sections on the flap. Applicants note that the item identified by reference numeral "54" is not an aperture and, thus, cannot render any section less elastic in the manner suggested by the Examiner. Applicants agree that Turner refers to a "layer of elastomeric material" included in the flap; but, no more is provided. Specifically, Turner does not teach, among other elements, how such an inclusion of an elastomeric layer could produce three distinctly elasticated and distinctly positioned sections as required by claim 1.

With respect to claim 19, Turner does not teach or suggest at least the following claim elements:

- 1) a pair of end strips secured to two side walls;
- 2) a pair of side portions of the end strips secured to the side walls such that the side walls are biased generally upwardly; and
- 3) a pair of end strips including a distinctly elasticated elastic inward section.

Applicants note that Turner suggests placing adhesives 20 on the flap so that the flap adheres to the skin of the wearer. The placement of such adhesives do not create the "distinctly elasticated elastic inward sections" of claim 1. It also does not bias the side walls generally upwardly to attain the unique advantages offered by applicants' invention (or to form a containment wall or pocket as recited in other claims). In fact, Turner does not concern the structural relationship between side walls and a pair of end strips.

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Respectfully submitted,

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